

Remarks

By the foregoing Amendment, claims 1-9, 11, 13, 15-16, and 18 are amended, and claims 10 and 14 are cancelled. No new matter is added by this Amendment. Entry of the Amendment, and favorable consideration thereof, is earnestly requested.

The Examiner has rejected the claims under 35 U.S.C. § 103 as obvious over Ho et al, U.S. Patent No. 6,569,584 or Choi, U.S. Patent No. 6,821,688, at the time of the invention in view of Tomita, U.S. Patent No. 6,521,969. For the purpose of expediting prosecution, independent claims 1 and 18 (and dependent claims 2-9, 11, 12, and 15-16) have been amended. Support for this amendment is found throughout the specification, and in particular, at Paragraphs 00041, 00052-53, 00072-73, and Figures 1, 2 and 5. Applicant respectfully requests reconsideration of the foregoing rejection in light of these amendments.

Neither Ho nor Choi anticipates independent claims 1 or 18 because all of the elements in these claims, as amended, are not shown in either of these references. Specifically, the independent claims have been amended to more clearly recite the structure of the invention—namely, that the compensation structure completely surrounds the product field areas, and that this compensation structure has two different depths that correspond to two different depths in the product field areas, with the electrically conductive areas connected to the product field areas forming paths running through this compensation structure. Ho and Choi have no such structure.

Additionally, neither Ho nor Choi renders claim independent claims 1 or 18 obvious, either alone, or in view of the other, or in view of Tomita, as there is no suggestion or motivation for one skilled in the art to make necessary modifications to arrive at the claimed invention. See, e.g., MPEP 2143.01; *In re Mills*, 916 F.2d 680, 682, 16 USPQ2d 1430, 1432 (Fed. Cir. 1990). The structures disclosed in the aforementioned references have fundamentally different designs than that recited, and

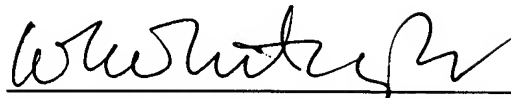
provide no motivation whatsoever for one to so alter them as to arrive at the invention recited in claims 1 and 18, as amended.

This difference is significant, as the claimed invention relates to a very particular structure with distinct advantages. As explained in particular in Paragraph 00043, the use of two in different depths in the mask causes the light waves passing therethrough to be phase-twisted by 180 degrees due to the interference between the waves, such that sharper, limited intensity maxima of the waves can be produced, thereby allowing very narrow or small structures to be put on the wafer. As explained in paragraph 00045, in order for this to work properly, the widths of the lines having the two different, alternating depths must be accurately constant. For this reason, the invention further employs a surrounding compensation structure that has two different depths corresponding to the two different depths of the product field areas and has electrically conducting paths running therebetween from the product field areas. See Paragraphs 00046, 00077-00079.

It is respectfully submitted that claims 1-9, 11-13, and 15-18, all of the claims remaining in the application, are in order for allowance, and early notice to that effect is respectfully requested.

Respectfully submitted,

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